

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

**GIOVANNI MARIN IRIZARRY  
WALESKA OLIVO SANTIAGO**

Debtors

FIRSTBANK PUERTO RICO

Movant

CASE No.: 19-04547 (BKT)

CHAPTER 13

**REQUEST FOR OBJECTION TO THE CONFIRMATION  
(docket no. 16) TO BE HELD IN ABEYANCE**

TO THE HONORABLE COURT:

COMES NOW Movant FIRSTBANK Puerto Rico, through its undersigned attorney and very respectfully states and preys:

1. Debtors filed the instant petition for relief under the provisions of Chapter 13 of the Bankruptcy Code (11 U.S.C. §1301 *et seq.*) August 9, 2019.
2. Movant filed an unsecured proof of claim no. 4 in the amount of \$45,047.00 as owner of a 2018 Honda CR-V leased to joint Debtor, including a residual payment of \$11,869.00 due on January 5, 2024.
3. On September 27, 2019 Movant filed an *Objection to the confirmation* (docket no. 16) against plan dated August 9, 2019 (docket no. 2) for its lack of compliance with the *adequate assurance of future performance* required by 11 U.S.C. §365 and requesting insurance for the leased vehicle.
4. The amended plan dated January 30, 2020 (docket no. 19) did not take care of the issues raised by Firstbank PR in its objection to confirmation (docket no. 16). Therefore, appearing creditor respectfully requests this Honorable Court to hold its *Objection to confirmation* (docket no. 16) in abeyance until the next hearing on confirmation.
5. Appearing creditor does not waive any other right under 2005 B.A.P.C.A.

WHEREFORE, FIRSTBANK Puerto Rico respectfully requests this Honorable Court to grant this

Request for Objection to be held in abeyance  
FIRSTBANK Puerto Rico

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motion and deny the confirmation of the proposed chapter 13 plan.

**NOTICE**

Within fourteen (14) days after service as evidenced by the certification, and additional three (3) days pursuant to Fed. R. Bankr. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's Office Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise. Local Bankruptcy Rule 9013-1 (c)(1).

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 5<sup>th</sup> day of February, 2020.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this motion was served by CM/ECF at the authorized address of: all creditors; Alejandro Oliveras Rivera, Esq., Chapter 13 Trustee; Jesús E. Batista Sánchez, Esq., debtors' attorney and to debtors by regular mail to the address of record: Urb. Villas de San Agustín, C-7 Ave. San Agustín, Bayamón, P.R. 00956, as per the attached *List of Creditors*.

//s// Maricarmen Colón Díaz

**MARICARMEN COLON DIAZ**, Esq.

Attorney for Movant - USDC 211410

MARIA M. BENABE RIVERA - USDC 208906

P.O. Box 9146, Santurce, P.R. 00908-0146

Centro de Servicios al Consumidor (248)

1130 Muñoz Rivera Ave., San Juan, P.R.

Tel. (787) 729-8135 / Fax (787) 729-8276

maricarmen.colon@firstbankpr.com

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Case 19-04547-BKT13  
District of Puerto Rico  
Old San Juan  
Mon Sep 23 13:42:47 AST 2019

AEELA  
PO BOX 364508  
SAN JUAN, PR 00936-4508

AUTORIDAD DE ACUEDUCTOS & ALCANTARILLADOS  
PO BOX 70101  
SAN JUAN, PR 00936-8101

COSTCO CITI CARD  
PO BOX 9001016  
LOUISVILLE, KY 40290-1016

FIRST BANK  
CONSUMER SERVICE CENTER  
BANKRUPTCY DIVISION (CODE 248)  
PO BOX 9146,SAN JUAN,PR 00908-0146

GUBE COOP  
PO Box 41235  
SAN JUAN, PR 00940-1235

JPMorgan Chase Bank, N.A.  
s/b/m/t Chase Bank USA, N.A.  
c/o National Bankruptcy Services, LLC  
P.O. Box 9013  
Addison, Texas 75001-9013

LVNV Funding, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

PENTAGON FCU  
PO BOX 456  
Alexandria, VA 22313-0456

PREPA - BANKRUPTCY OFFICE  
PO BOX 364267  
SAN JUAN PR 00936-4267

POPULAR AUTO, LLC  
PO BOX 366818  
SAN JUAN, PR 00936-6818

AEELA  
PO BOX 70290  
SAN JUAN, PR 00936-8290

AUTORIDAD DE ENERGIA ELECTRICA  
PO BOX 10101  
San Juan, PR 00936

DEPARTAMENTO DE HACIENDA DE PR  
P.O. Box 9024140  
San Juan, PR 00902-4140

FIRST BANK OF PUERTO RICO  
AVE. PONCE DE LEON 1519  
SAN JUAN, PR 00908-0146

HOSPITAL HIMA-SAN PABLO  
APARTADO 236  
Bayamon, PR 00960-0236

JPMorgan Chase Bank, N.A.  
s/b/m/t Chase Bank USA, N.A.  
c/o Robertson, Anschutz & Schneid, P.L.  
6409 Congress Avenue, Suite 100  
Boca Raton, FL 33487-2853

MACYS/DSNB  
PO BOX 8218  
MASON, OH 45040-8218

PHEAA  
PO Box 8147  
Harrisburg, PA 17105-8147

RAFAELA SANTIAGO CARRERAS  
URB. VILLAS DE SAN AGUSTIN  
C-7 AVE. SAN AGUSTIN  
Bayamon, PR 00959-2037

US Bankruptcy Court District of P.R.  
Jose V Toledo Fed Bldg & US Courthouse  
300 Recinto Sur Street, Room 109  
San Juan, PR 00901-1964

AES/SIMA TRUST  
PO BOX 61047  
Harrisburg, PA 17106-1047

BEST BUY/CENA  
PO BOX 6497  
Sioux Falls, SD 57117-6497

DEPARTMENT OF EDUCATION NAVIENT  
123 S Justison St Fl 3  
Wilmington, DE 19801-5360

GOLDMAN SACHS BANK USA  
PO BOX 45400  
Salt Lake City, UT 84145-0400

JPMCB CARD SERVICES  
PO BOX 15369  
Wilmington, DE 19850-5369

LCDO. GUILLERMO A. BARALT MIRO  
PO BOX 4980  
Caguas, PR 00726-4980

ORIENTAL BANK TRUST  
PO BOX 195115  
San Juan, PR 00919-5115

POPULAR AUTO  
BANKRUPTCY DEPARTMENT  
PO BOX 366818  
SAN JUAN PUERTO RICO 00936-6818

SISTEMA DE RETIRO  
PO Box 364508  
San Juan, PR 00936-4508

SYNCE/JC PENNY MCC  
PO BOX 956007  
ORLANDO, FL 32896-0001

SYNCE/SAMS DUAL CARD  
P.O. Box 965005  
ORLANDO, FL 32896-5005

Synchrony Bank  
c/o of PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

THE HOME DEPOT/CBNA  
PO BOX 6497  
STUX FALLS, SD 57117-6497

ALEJANDRO OLIVERAS RIVERA  
ALEJANDRO OLIVERAS CHAPTER 13 TRUS  
PO BOX 9024062  
SAN JUAN, PR 00902-4062

GIOVANNI MARIN IRIZARRY  
URB VILLAS DE SAN AGUSTIN  
C 7 AVE SAN AGUSTIN  
BAYAMON, PR 00959-2037

JESUS ENRIQUE BATISTA SANCHEZ  
THE BATISTA LAW GROUP, PSC  
P.O. Box 191059  
SAN JUAN, PR 00919-1059

MONSITA LECARON ARIBAS  
OFFICE OF THE US TRUSTEE (UST)  
OCHOA BUILDING  
500 TANCA STREET SUITE 301  
SAN JUAN, PR 00901

WALESKA OLIVO SANTIAGO  
VILLAS SAN AGUSTIN  
C7 AVE SAN AGUSTIN  
BAYAMON, PR 00959-2037

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